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4 HARDEEP LUTHRA, et al.,
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7 Plaintiffs,
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9 v.
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11 UNITED STATES OF AMERICA,
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Defendant.

Case No. 21-cv-00402-KAW
ORDER TO SHOW CAUSE
Re: Dkt. No. 5

14 On January 21, 2021, Defendant filed a motion to dismiss. (Dkt. No. 5.) Pursuant to Civil
15 Local Rule 7-3(a), Plaintiff's opposition was due 14 days after the motion was filed, which was
16 February 4, 2021.

17 To date, Plaintiff has not filed an opposition or statement of non-opposition. Pursuant to
18 the undersigned's standing order, “[t]he failure of the opposing party to file a memorandum of
19 points and authorities in opposition to any motion shall constitute consent to the granting of the
motion.” (Judge Westmore’s General Standing Order ¶ 23.)

20 Accordingly, Plaintiff is ordered, on or before February 16, 2021, to 1) file a consent or
21 declination notice so that the Court can decide the motion or reassign the case to a district judge,
22 2) file an opposition or statement of non-opposition to the pending motion, and 3) file a response
23 to this order to show cause explaining why the opposition was not timely filed. Should an
24 opposition be filed, Defendant may file a reply on or before February 23, 2021. The hearing on
25 Defendant’s motion to dismiss is continued to March 18, 2021 at 1:30 p.m.

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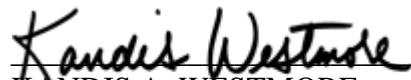
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1 Failure to comply will result in the Court reassigning the case to a district judge with the
2 recommendation that the case be dismissed.

3 IT IS SO ORDERED.

4 Dated: February 5, 2021


5 KANDIS A. WESTMORE
6 United States Magistrate Judge

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United States District Court
Northern District of California